

PTO/SB/31 (09-06) Approved for use through 03/31/2007. OMB 0651-0031

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number **NOTICE OF APPEAL FROM THE EXAMINER TO** Docket Number (Optional) THE BOARD OF PATENT APPEALS AND INTERFERENCES N9810.0026/P026 In re Application of Harry A. Dugger, III et al. Application Number Filed September 29, 2003 10/671,708-Conf. #9259 BUCCAL, POLAR AND NON-POLAR SPRAY CONTAINING **TESTOSTERONE** Art Unit Examiner 1616 M. Haghighatian Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) 500.00 Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: 250.00 08/22/2007 CNGUYEN2 00000030 10671708 A check in the amount of the fee is enclosed. 250.d0 OP 01 FC:2401 Payment by credit card. Form PTO-2038 is attached. Х The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. X | The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 04-1073 . I have enclosed a duplicate copy of this sheet. A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the applicant /inventor. **6**ignature assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) James W. Brady, Jr. is enclosed. (Form PTO/SB/96) Typed or printed name attorney or agent of record. Registration number 32,115 (202) 420-4786 Telephone number attorney or agent acting under 37 CFR 1.34. August 21, 2007 Registration number if acting under 37 CFR 1.34. Date NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*. 1 *Total of forms are submitted.